

AMENDED IN ASSEMBLY JUNE 6, 2005

AMENDED IN SENATE APRIL 25, 2005

SENATE BILL

No. 319

Introduced by Senator Migden

February 16, 2005

An act to ~~add Section 47632.6 to~~ amend Section 47660 of the Education Code, relating to public education funding.

LEGISLATIVE COUNSEL'S DIGEST

SB 319, as amended, Migden. Charter schools: funding.

Existing law, the Charter Schools Act of 1992, allows for the establishment of charter schools that operate independently from the existing school district structure as a method of accomplishing specified goals.

Existing law requires the Superintendent of Public Instruction to annually compute a general purpose entitlement, ~~funded from a combination of state aid and local funds as defined, and a categorical block grant amount, as defined,~~ for each charter school, pursuant to a specified formula.

Existing law requires, for purposes of computing eligibility for, and entitlements to, revenue limit funding, that the average daily attendance of a unified school district, other than a unified school district that has converted all of its schools to charter status, as specified, include all attendance of pupils who attend charter schools for which the district is the sponsoring local educational agency and reside in, and would otherwise have been eligible to attend a noncharter school of the district.

This bill, instead, would subject to different funding provisions, as specified, a charter school in a nonbasic aid unified school district that was operational and converted to charter status before January

1, 2005, or that is receiving startup funding, as specified, and that would otherwise be subject to the above provisions of existing law.

~~Existing law requires a local educational agency that sponsors a charter school annually to transfer to each of its charter schools a prescribed amount of funding in lieu of funding available through property taxes.~~

~~Existing law requires the county superintendent of schools to determine a revenue limit for each school district in the county pursuant to a specified formula, which is based on the prior year's base revenue limit. Existing law requires the Superintendent to apportion state aid in the form of a revenue limit to the county superintendent of schools.~~

~~This bill would provide that, commencing July 1, 2007, a high school that is a charter school and that operates in a unified school district that is the chartering authority for the charter school, may not generate general-purpose entitlement funding per unit of average daily attendance in excess of the revenue limit funding per unit of average daily attendance of that school district, except as specified.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 47660 of the Education Code is*
2 *amended to read:*
3 47660. (a) For purposes of computing eligibility for, and
4 entitlements to, general-purpose funding and operational funding
5 for categorical programs, ~~a sponsoring local educational agency's~~
6 *the enrollment and average daily attendance reported by a*
7 *sponsoring local educational agency shall exclude—*~~all the~~
8 enrollment and attendance of pupils in its charter schools funded
9 pursuant to this chapter.
10 (b) Notwithstanding subdivision (a), *and except as provided in*
11 *subdivision (c),* for purposes of computing eligibility for, and
12 entitlements to, revenue limit funding, the average daily
13 attendance of a unified school district, other than a unified school
14 district that has converted all of its schools to charter status
15 pursuant to Section 47606, shall include all attendance of pupils
16 who attend charter schools for which the district is the
17 sponsoring local educational agency and reside in, and would

1 otherwise have been eligible to attend a noncharter school of, the
2 district.

3 *(c) Notwithstanding subdivision (b), a charter school in a*
4 *nonbasic aid unified school district, that was operational and*
5 *had converted to charter status prior to January 1, 2005, or that*
6 *is a charter school that is receiving startup funding pursuant to*
7 *Section 47771.5, that would otherwise be subject to subdivision*
8 *(b), is subject to the funding provisions of Article 2 (commencing*
9 *with Section 47633) and Article 3 (commencing with Section*
10 *47636), rather than to those of subdivision (b).*

11 ~~SECTION 1. Section 47632.6 is added to the Education~~
12 ~~Code, to read:~~

13 ~~47632.6. (a) Subject to subdivision (b), commencing July 1,~~
14 ~~2007, a high school that is a charter school and that operates in a~~
15 ~~unified school district that is the chartering authority for that~~
16 ~~charter school, shall not generate general-purpose entitlement~~
17 ~~funding per unit of average daily attendance in excess of the~~
18 ~~revenue limit funding per unit of average daily attendance of that~~
19 ~~school district.~~

20 ~~(b) A unified school district may, at its discretion, provide a~~
21 ~~charter school described in subdivision (a) with additional funds~~
22 ~~to supplement the charter school's revenue limit.~~